



AMERICAN CONSTITUTIONALISM
 VOLUME I: STRUCTURES OF GOVERNMENT
 Howard Gillman • Mark A. Graber • Keith E. Whittington

Supplementary Material

Chapter 7: The Republican Era – Powers of the National Government

OXFORD
 UNIVERSITY PRESS

Correspondence between John Altgeld and Grover Cleveland on the Pullman Strike¹

In May of 1894 approximately 3,000 employees of the Pullman Palace Car Company, which was in the business of manufacturing railway cars, began a wildcat strike in response to recent reductions in wages. The strike brought railroad traffic west of Chicago to a halt, especially after sympathetic railroad workers began boycotting trains that contained Pullman cars. In an effort to keep such interstate commerce moving (and send a signal to an increasingly vocal union movement), conservative Democratic President Grover Cleveland ordered troops to Chicago to end the strike. In this exchange the labor-sympathizing Democratic Illinois governor attempts to explain to the president why he believed this was a matter best left to the state. The president responded with his own constitutional justifications for interference. The presidential obligation to protect interstate commerce against obstructions was one of several justifications that the administration offered for sending troops into Illinois to break up the railroad strike.

Governor John P. Altgeld to President Grover Cleveland, July 5, 1894 (telegram)

I am advised that you have ordered Federal troops to go into service in the State of Illinois. Surely the facts have not been correctly presented to you in this case, or you would not have taken this step, for it is entirely unnecessary, and, as it seems to me, unjustifiable. Waiving all questions of courtesy, I will say that the State of Illinois is not only able to take care of itself, but it stands ready to furnish the Federal Government any assistance it may need elsewhere. . . . We have stationed in Chicago alone three regiments of infantry, one battery and one troop of cavalry, and no better soldiers can be found. They have been ready every moment to go on duty, and have been and are now eager to go into service, but they have not been ordered out because nobody in Cook County, whether official or private citizen, asked to have their assistance, or even intimated in any way that their assistance was desired or necessary.

So far as I have been advised, the local officials have been able to handle the situation. But if any assistance was needed, the State stood ready to furnish a hundred men for every one man required, and stood ready to do so at a moment's notice. Notwithstanding these facts the Federal Government has been applied to by men who had political and selfish motives for wanting to ignore the State Government. . . .

At present some of our railroads are paralyzed, not by reason of obstruction, but because they cannot get men to operate their trains. For some reason they are anxious to keep this fact from the public, and for this purpose they are making an outcry about obstructions in order to divert attention. . . .

I have gone thus into details to show that it is not soldiers that the railroads need so much as it is men to operate trains, and that the conditions do not exist here which bring the cause within the Federal statute, a statute that was passed in [1861] and was in reality a war measure. The statute authorized the use of Federal troops in a State whenever it shall be impracticable to enforce the laws of the United States within such States by ordinary judicial proceedings. Such a condition does not exist in Illinois. . . . To absolutely ignore a local government in matters of this kind, when the local government is ready to furnish assistance needed, and is amply able to enforce the law, not only insults the people of this State by imputing to them an inability to govern themselves or an unwillingness to enforce the law, but is in

¹ Excerpt taken from *The Public* 326 (July 2, 1904): 200-202.



violation of a basic principle of our institutions. The question of Federal supremacy is in no way involved. No one disputes it for a moment; but, under our Constitution, Federal supremacy and local self-government must go hand-in-hand, and to ignore the latter is do to violence to the Constitution.

As Governor of the State of Illinois, I protest against this, and ask the immediate withdrawal of the Federal troops from active duty in this State

OXFORD
UNIVERSITY PRESS

President Grover Cleveland to Governor John P. Altgeld, July 5, 1894 (telegram)

Federal troops were sent to Chicago in strict accordance with the Constitution and laws of the United States, upon the demand of the Postoffice Department that obstruction of the mails should be removed, and upon the representations of the judicial officers of the United States that the process of the Federal courts could not be executed through the ordinary means, and upon competent proof that conspiracies existed against commerce between the States. To meet these conditions, which are clearly within the province of Federal authority, the presence of Federal troops in the city of Chicago was deemed not only proper, but necessary, and there has been no intention of thereby interfering with the plain duty of the local authorities to preserve the peace of the city.

Governor John P. Altgeld to President Grover Cleveland, July 6, 1894 (telegram)

Your answer to my protests involves some startling conclusions and ignores and evades the question at issue – that is, that the principle of local self-government is just as fundamental in our institutions as that of Federal supremacy.

First – You calmly assume that the Executive has a legal right to order Federal troops into any community of the United States, in the first instance, whenever there is the slightest disturbance, and that he can do this without any regard to the question as to whether that community is able and ready to enforce the law itself. Inasmuch as the Executive is the sole judge of the question as to whether any disturbance exists in any part of the country, this assumption means that the Executive can send Federal troops into any community in the United States at his pleasure, and keep them there as long as he chooses. If this is the law, then the principle of self-government either never did exist in this country or else has been destroyed

Second – It is also a fundamental principle of our Government that except in times of war the military shall be subordinate to the civil authority. In harmony with this provision, the State troops are ordered out to act under and with the civil authorities. The troops you have ordered to Chicago are not under the civil authorities, and are in no way responsible for their conduct. They are not even acting under the United States Marshal or any Federal officer of the State, but are acting directly under military orders issued from military headquarters at Washington; and in so far as these troops act at all, it is military government.

Third – Federal interference with industrial disturbances in the various States is certainly a new departure, and it opens up so large a field that it will require a very little stretch of authority to absorb to itself all the details of local government

President Grover Cleveland to Governor John P. Altgeld, July 6, 1894 (telegram)

While I am still persuaded that I have neither transcended my authority nor duty in the emergency that confronts us, it seems to me that in this hour of danger and public distress, discussion may well give way to active efforts on the part of all in authority to restore obedience to law and to protect life and property.